

C O P Y

OGC HAS REVIEWED.

27 Jan. 1954

MEMORANDUM FOR: STATINTL

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SUBJECT: USN-Retired

1. Reference is made to our telephone conversation yesterday afternoon concerning the recent appointment of [redacted] to succeed [redacted] as Chairman of the Naval Reserve Evaluation Board. You will recall our concern related to the possibility of the Admiral violating the dual employment laws.

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2. I have been in touch with Lt. Commander Rowe in the Department of the Navy on extension 52821. Commander Rowe is the Recorder of the Naval Reserve Evaluation Board. I explained to him that we had Admiral [redacted] under an intermittent consultant contract and I inquired as to the type of appointment he has in the position as Chairman of the Board. After checking the matter, Commander Rowe has advised me that their use of the Admiral is limited to from five to seven days per month and they have him under a consultant contract precisely the same type as ours. Our contract is a "fee basis" contract which permits the Admiral to retain his retired pay. Commander Rowe cited a decision of the Comptroller General (23 CG 275) which permits the dual employment of a retired officer of the armed services provided compensation is on a fee basis and further provided that he does not work for both agencies on the same day. Commander Rowe is addressing a note to [redacted] to caution him to not act as a consultant to both of us on the same day. As far as I can see, that straightens the matter out satisfactorily.

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Executive Officer  
Office of Personnel

OP/[redacted];nh (27 Jan 54)

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